

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
 (REV. 2-2005)

**TRANSMITTAL LETTER TO THE UNITED STATES**  
**DESIGNATED/ELECTED OFFICE (DO/EO/US)**  
**CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

IC10 PCT/US02/09 NOV 2005

ATTORNEY'S DOCKET NUMBER

RLL-231US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)  
 10/537,851

INTERNATIONAL APPLICATION NO.  
 PCT/IB2002/005213

INTERNATIONAL FILING DATE  
 December 10, 2002

PRIORITY DATE CLAIMED  
 December 10, 2002

TITLE OF INVENTION  
**PROCESS FOR THE PREPARATION OF ROSUVASTATIN**

APPLICANT(S) FOR DO/EO/US  
 KUMAR et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4.  The US has been elected (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11.  A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12.  A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 23 below concern document(s) or information included:**

13.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15.  A **FIRST** preliminary amendment.
16.  A **SECOND** or **SUBSEQUENT** preliminary amendment.
17.  A substitute specification.
18.  A power of attorney and/or change of address letter.
19.  A computer-readable form of the sequence listing in accordance with PCT Rule 13/er.2 and 37 CFR 1.821 - 1.825.
20.  A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21.  A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22.  Express Mail Label No. EV 483376402 US
23.  Other items or information:

Certificate of Express Mail  
 Transmittal of Information Disclosure Statement

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. <b>10/537,859</b>		INTERNATIONAL APPLICATION NO. <b>PCT/IB2002/005213</b>		ATTORNEY'S DOCKET NUMBER <b>RLL-231US</b>	
The following fees are submitted:				CALCULATIONS	PTO USE
24. <input type="checkbox"/> Basic national fee .....				\$300	\$ <b>\$0.00</b>
25. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). .... All other situations. ....				\$100 \$200	\$ <b>\$0.00</b>
26. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... International Search Report prepared and provided to the Office ..... All other situations. ....				\$100 \$400 \$500	\$ <b>\$0.00</b>
<b>TOTAL OF 24, 25 and 26 =</b>				\$	<b>\$0.00</b>
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE	
- 100 =	0 /50 =	0		x \$250.00	\$ <b>\$0.00</b>
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	<b>\$130.00</b>
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$50.00	\$	<b>\$0.00</b>
Independent claims	- 3 =	0	x \$200.00	\$	<b>\$0.00</b>
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/>				+ \$360.00	\$ <b>\$0.00</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	<b>\$130.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	<b>\$0.00</b>
				<b>SUBTOTAL =</b>	\$ <b>\$130.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	<b>\$0.00</b>
				<b>TOTAL NATIONAL FEE =</b>	\$ <b>\$130.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	<b>\$0.00</b>
				<b>TOTAL FEES ENCLOSED =</b>	\$ <b>\$130.00</b>
				Amount to be	\$
				Amount to be	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-0912</u> in the amount of <u>\$130.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0912</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: Jayadeep R. Deshmukh, Esq. Reg. No. 34,507 Customer No. 26815					
 SIGNATURE <b>William D. Hare</b> NAME <u>44,739</u> REGISTRATION NUMBER					
11/17/2005 GFREY1 00000096 500912 10537859 01 FC:1617 130.00 DA					



UNITED STATES PATENT AND TRADEMARK OFFICE

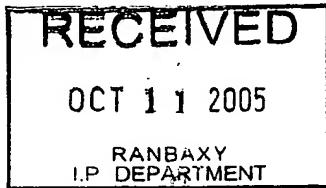
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10 NOV 2005

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,859	Yatendra Kumar	RHI-231US

26815  
RANBAXY INC.  
600 COLLEGE ROAD EAST  
SUITE 2100  
PRINCETON, NJ 08540



INTERNATIONAL APPLICATION NO.	
PCT/IB02/05213	
I.A. FILING DATE	PRIORITY DATE
12/10/2002	

CONFIRMATION NO. 8590  
371 FORMALITIES LETTER  
  
OC000000017160713\*

Date Mailed: 10/06/2005

COPY

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/08/2005
- Copy of the International Search Report filed on 06/08/2005
- Copy of IPE Report filed on 06/08/2005
- Oath or Declaration filed on 06/08/2005
- U.S. Basic National Fees filed on 06/08/2005
- Specification filed on 06/08/2005
- Claims filed on 06/08/2005
- Abstracts filed on 06/08/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

ENTERED  
L

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,859	PCT/IB02/05213	RII-231US

FORM PCT/DO/EO/905 (371 Formalities Notice)

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09 NOV 2005

10/537859

RLL-231US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): KUMAR *et al.*  
U.S. Serial No. : 10/537,859  
International Application No.: PCT/IB2002/005213  
International Filing Date: December 10, 2002  
Title: PROCESS FOR THE PREPARATION OF  
ROSVASTATIN

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the following correspondence:

- Transmittal Letter to the US DO/EO Concerning a Filing Under 35 USC 371
- Executed Combined Declaration and Power of Attorney
- Copy of Notification of Missing Requirements
- Transmittal of Information Disclosure Statement
- Information Disclosure Statement, including cited references
- Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 9, 2005.

\_\_\_\_\_  
Michelle Morgan  
(Name of Person Mailing Correspondence)

\_\_\_\_\_  
*Michelle Morgan*  
(Signature)

\_\_\_\_\_  
EV 483376402 US  
(Express Mail Mailing Label Number)